

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

ANTHONY L. SUMMERS

§

VS.

§

CIVIL ACTION NO. 1:03cv475

D. DOUGHTY

§

ORDER

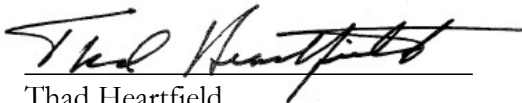
This lawsuit was dismissed as frivolous and for failure to state a claim upon which relief may be granted. Plaintiff subsequently filed motions to reinstate the case and for reconsideration.

Plaintiff's motions challenging the correctness of the court's judgment were filed within ten days after entry of the judgment. Therefore, the court liberally construes them as motions to alter or amend judgment brought under Rule 59(e). *Madison v. Vintage Petroleum, Inc.*, 114 F.3d 514, 516 (5th Cir. 1997).

Plaintiff has not raised any new facts or legal arguments which affect the validity of the judgment. After reviewing the instant motions along with the pleadings and applicable law, the court is of the opinion that the judgment is correct and the motions to alter or amend judgment should be denied. It is accordingly

ORDERED that plaintiff's motions to reinstate the case (document no. 130) and for reconsideration (document no. 131) are **DENIED**.

SIGNED this the 26 day of **July, 2005**.


Thad Heartfield
United States District Judge